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EXAMINER

BARQADLE, YASIN M

ART UNIT

PAPER NUMBER

2456

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 09/682,853	<b>Applicant(s)</b> HARRIS, SCOTT C.	
	<b>Examiner</b> YASIN M. BARQADLE	<b>Art Unit</b> 2456	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 September 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☐ Claim(s) \_\_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-10, 13-14, 16-20 and 24-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

### **Response to Amendment**

2. The amendment filed on September 11, 2009 has been fully considered but are not deemed persuasive in view of the new grounds of rejection.

Claims 21 and 23 are withdrawn.

- Claims 1-3, 5-10 and 13-14, 16-20 and 24-25 are presented for examination.

### **Response to arguments**

It is also noted that claim 1 requires at least one template in order Brett to meet the invention as explained.

Applicant argues "Steele does not show his information received from a request - Steele's information is "pushed" to the cache that displays the information to a use that displays the information to the user" page 13 third paragraph.

The Examiner disagrees. Steele teaches a user of an interactive device sending a request message (query) to multimedia information system 10 (0111-112, page 7).

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In paragraph [0011] Steele shows “FIG. 10 is a ladder diagram showing a user initiated update request.”

Furthermore, Steele teaches “What triggers this diagram is an update received from the user. An example of such a request would include a message received by the system 10, where the message was transmitted from the multimedia device 20. This message could be sent by the system 10, or sent automatically by the device 20 or manually by the user interacting with device 20 or some other device communicating with system 10.” paragraph [0111]

The Applicant seems to argue that “Brett, who never shows or suggest that a single request can be used to query first and second source of information, and that these different sources of information have different web addresses as now claimed” page 14 last paragraph.

Applicant continues to argue “Moreover, this now-claimed feature produces an advantage that is not shown by Brett or Brett in view of Steele and Brandt - specifically that different information from multiple different internet sources can be separately queried from the single request.” Page 15 first paragraph.

The Examiner disagrees. Firstly, there claim do not recite using a single request to query first and second source of information. And even if that is

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what the Applicant is attempting to claim in his limitation of "sending a request for information to a first server to query multiple different source of information" in claim 1 or other independent claims, there is no support neither in the specification nor the drawings of fig. 2, block 200, fig. 3, block 300 and fig. 4 block 400 as indicated by the Applicant. These figures simply indicate different embodiments of how a user may request either an auction bid, a bank balance or commerce site. See the following paragraphs from the Applicant published specification:

"[0013]FIG. 2 shows a flowchart of an embodiment to query an auction type website using a service;

[0014]FIG. 3 shows a flowchart of operation to query a bank;

[0015]FIG. 4 shows a flowchart of using this system with a general ecommerce site;

[0042] Another embodiment is disclosed herein of using this system to obtain a bank balance over the Internet."

Applicant also argues "The rejection states that Brett teaches querying sources of information, referring to the databases 15, 16 and 17 and the internet webpages Figures 5-8" page 14 last paragraph.

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The Examiner notes the Brett teaches “In this embodiment, internet sites are constructed consisting of web pages of graphics and text stored as html files, which present the necessary information pertaining to upcoming events and ticket sales. These sites are stored in the memory of the central computer 12.” (Col. 5, lines 37-62). Storing internet sites in a memory of central computer implies plural internet sites. One server hosting multiple domains (internet sites) is a well known fact. Nonetheless, Steele shows obtaining information from multiple sources of information as admitted by the Applicant (page 16 second paragraph and at the bottom of fig. 3 (Internet Web Servers-News, stocks, weather, email, etc)).

Applicant also argues that “Brandt does not call or otherwise access second and third Internet-based webpages that have different web addresses, and are addressed by "a request for information", as claimed.” Page 16, last paragraph.

Examiner disagrees.

Brandt teaches user receiving requested web pages “This resulting web page, displayed on the user's screen, may contain text, graphics, and links (which are URL addresses of other web pages.) These other web pages (i.e., those represented by links) may be on the same or on different web servers. The user can retrieve these other web pages by clicking on these links using a mouse or other pointing device. This entire system of web pages with links to other web pages on other servers across the world collectively comprise the "World-Wide

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Web" (WWW). (col. 7, lines 11-22). Therefore, Brandt clearly teaches URL addresses on the same or different web servers and retrieving web pages by clicking (querying) on the links (URL addresses).

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claim 1 recites the limitation "on said interactive device" in line 4. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1 and 9 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed

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invention. Examiner could not find the limitation of “sending a request for information to a first server to query multiple different sources... and where said third Internet based web page is addressed using a different web address than is used to address said second Internet based web page” or “ a first domain name and a second domain name” as claimed in claim 9, in the applicant's original specification. The specification does not describe how this is done.

Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The specification does not show how the limitation of ““sending a request for information to a first server to query multiple different sources... and where said third Internet based web page is addressed using a different web address than is used to address said second Internet based web page”, It is not clear how the interactive device sends sending a request for information to a first server to query multiple different sources... and where said third Internet based web page is addressed using a different web address than is used to address said second Internet based web page” or or “ a first domain name and a second domain name” as



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claimed in claim 9. Specially as a argued by the Applicant that a single request can query multiple different sites. The Examiner assumes that each request is made separately as shown by the Applicants embodiments.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3, 9 and 13-14, 17-18, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brett et al US. PUB (6023685) in view of Steele et al US. PUB (20020046084) and further in view Brandt et al US. PUB (5892905).

As per claims 1, 9, 17 and 20, Brett teaches et al teach a method (abstract), comprising:

sending a request for information (Fig. 1, terminals 14) to a first server to query multiple different sources (Fig. 1, 12) receiving from said first server, on said interactive device, information from said request ("In this embodiment, internet sites are constructed consisting of web pages of graphics and text

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stored as html files, which present the necessary information pertaining to upcoming events and ticket sales. These sites are stored in the memory of the central computer 12." (Col. 5, lines 37-62). see fig. 1); including a first results from querying of information contained within internet based webpage (col. 7, lines 39-67), including a second source of information contained within a second internet based webpage, and a third source of information within a third Internet based webpage (central computer 12, fig. 1 includes database 15, 16 and 17 respectively including Internet based webpage as displayed in figures 5 to 8); reformatting said first and second results using at least one template where the template includes a form that includes non variable textual information that stays constant, and open portions for said first and second information that changes based on said results received from one of said sources of information, an arrangement that arranges said non variable information and said variable information (see fig. 10 and 11); using said raw information to fill in said open portions on said template (col. 10, lines 23-40 and figs 10-11 (the sponsor name is constant while bid status varies. See also figs 5a to 7); and

displaying said template, with said information filled therein, on said interactive device (col. 8, lines 37-62 and col. 10, lines 23-40. See figs 5 to 6 and particularly fig. 11 sec C status information).

Although Brett shows substantial features of the claimed invention including querying internet based webpage sources of information at the server (col.

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7, lines 39-67 central computer 12, fig. 1 includes database 15, 16 and 17 respectively including Internet based webpage as displayed in figures 5 to 8), Brett does not explicitly show using information from said request to query sources of information including a second and a third source of information within Internet based webpage (server). Nonetheless, this feature is well known in the art and would have been an obvious modification of the system disclosed by Brett, as evidenced by Steele et al USPN. (20020046084).

In analogous art, Steele et al whose invention is about a configurable multimedia information system that supports electronic commerce where customized information such as stock quotes, travel information, advertising, and e-mail are communicated to portable interactive device (abstract and paragraph 0072), disclose using information from said request to query sources of information including a second and a third source of information within Internet based webpage, where said third Internet based web page is addressed using a different web address than is used to address said second Internet based web page (bottom of fig. 3 (Internet Web Servers-News, stocks, weather, email, etc) [page 9, paragraphs 0129-0134. see also 0110]. Giving the teaching of Steele et al, a person of ordinary skill in the art would have readily recognized the desirability and the advantage of modifying Brett by employing the system of Steele et al in order to provide users beneficial up-to-date information that is consistent with their preference of services and products.

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Steele et al further teaches a portable device where results are in a form that cannot be viewed on interactive device (paragraphs 025,047 and 072).

Brett and Steele teach the invention as discloses above. However, Brett and Steele are silent about opening plural Internet pages on plural different Internet servers. Nonetheless, the feature of opening plural Internet pages on plural different Internet servers is well known in the art as evidenced by Brandt et al US. PUB (5892905). Brandt teaches “By inserting variables associated with more than one software application, a single web page can access data from these multiple software applications. The data is parsed into the HTML template by Internet/application gateway 332 and delivered to web server 222, which delivers the output to web browser 212.” Col. 15, line 15-40). Brandt further teaches “For example, an input variable can be included in an HTML page that specifies the next HTML page to be sent to web browser 212. In that case, when the HTML page is submitted back to web server 222, the Internet/application gateway 332 parses out the variable and directs web server 222 to deliver the specified HTML page back to web browser 212.” (col. 16, lines 14-46. See fig. 6-8). It would have obvious to one ordinary skill in the art at the time of the invention to include

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multiple template library system of Brandt with the system of Brett and Steele in order to be able to retrieve and open various HTML template library for customer appropriate viewing. "Upon submission of the HTML template web server 222, the CGI parses the variables and delivers them to the FMIG. The FMIG then directs the software application to start the process specified by the wf variable and passes the two application variables to the appropriate software application. The software application would then retrieve the appropriate data from the applications corresponding to the variables. Thus, by using the appropriate HTML variables a web client is able to work with many different applications through a single web page. This interaction can be completely transparent to the web client or may be apparent from the interface web page." (Col. 25, lines 2-20).

As per claim 3, Brett teaches the invention, wherein said interactive device is a device that only displays text, and using variable portions comprises changing said information from an HTML format into a text format, using only a portion of said another format for display (col. 7 lines 39-58 and col. 10, lines 23-40).

As per claim 10, Brett and Steele et al teach a method as in claim 2, wherein said reformatting comprises reformatting said information into an XML form [col. 8, lines 15-24].

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As per claims 13 and 14, Steele teaches the invention, wherein said using to form a formatted display comprises changing said HTML response (Internet pages ) from said Internet website into another format, wherein said HTML response that cannot be viewed on said interactive handheld device , an using only a portion of said another format, where in said another format is a format the can be viewed on said interactive device (paragraphs 025, 047 and 072. see also 0105 and -109).

As per claim 16, Brett teaches the invention further comprising automatically reporting changes to at least one of the websites a specified increments (Col. 10, lines 19-38).

As per claim 18, Brett teaches method as in claim 5, wherein said personal information which is sent includes logon information including at least a logon name and a password (col. 6, lines 50-65).

4. Claims 2 and 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rajan et al US. Patent (6633910) .

As per claim 2, Rajan teaches the method comprising:

    sending a request for information from an interactive device (fig. 1, devices 39,43,41 and 47) to a first server (fig. 1 server 33) , wherein said sending comprises sending one of multiple different kinds of requests to said

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first server, each different kind of request operative to request a different type of information, where a first request is a request for information from a first website and a second request is a request for information from a second website different than said first website (col. 6, lines 32-55 and col. 13, items 1-5; ticket information, arrival/departure information, stock quotes, account balance and/or email information are requested from different website in server 21-25 of fig. 1 col., 6, lines 12-55 and col. 14, lines 23-40);

using variable information from said result without using formatting information, to form raw information (col. 17, lines 61 to col. 17 lines 37 (bidding change and bank statement change are variable information rendered to templates); storing at least one template, where the template includes a form that includes non variable textual information that stays constant every time said template is used, and open portions for said variable information that changes based on said results received from said source of information, where said non variable information contains a textual description associated with said variable information, and wherein said template includes an arrangement that arranges said non variable information and said variable information (col. 8, lines 55-65 and col. 17, lines 61 to col. 17 lines 37 using said raw information to fill in said open portions on said template (open slots in the output template are filled with retrieved stock, flight bidding and bank statement information); said storing stores multiple different templates (col. 8, lines 55-65 and col. 17, lines 61 to col. 17 lines 37, and using said one of

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said templates for displaying said results; and displaying said template, with said information filled therein, on said interactive device (col. 8, lines 39 to col. 9, line 7).

Although Rajan shows substantial features of the claimed invention as explained above, Rajan does not explicitly show selecting a templates that corresponds to one of kinds of requests, including a first template for said first website, and a second different template for said second website.

Nonetheless, the features of selecting a template that corresponds for a first web site and a second different template for another website is an obvious feature of Rajan's multiple input templates and output templates associated with ticket information, arrival/departure information, stock quotes, account balance and/or email information retrieved from different website in server 21-25 of fig. 1. One ordinary skill in the art would appreciate to include the template creating feature of Rajan a selection mechanism for selecting a different template that corresponds each website that provides particular information such ticket information, arrival/departure information, stock quotes and account balance. In this way each website would be identified differently independent of the variable information rendered.



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As per claim 7, Rajan teaches method as in claim 2, wherein said kind of information is an indication to purchase a product, and said template is a template to obtain variables to allow purchase of the product ("Another type of request may be for information about departure/arrival parameters and gate instructions associated with purchased airline tickets" col. 15, lines 63 to col. 16, line 7).

Regarding claim 8, Rajan a user balance information and where said template is a template allowing entry of variables from raw information to fill in bank balance information [Col. 13, lines 44-63 and col. 15, lines 50-67].

5. Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rajan et al US. Patent (6633910) in view of Steele et al US PUB (20020046084).

Regarding claim 5, Although Rajan shows substantial features of the claimed invention including querying internet based webpage sources of information at the server (col. 7, lines 39-67) and wherein said interactive device also stores personal information associated with a user of the interactive device, and wherein said sending comprises sending a request for information which includes some of said personal information (col. 15, lines 49-67), Rajan does not explicitly show requesting the interactive device to identify more

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information about specific query to be made to said request to query a publicly accessible sources of information.

Nonetheless, this feature is well known in the art and would have been an obvious modification of the system disclosed by Rajan, as evidenced by Steele et al USPN. (20020046084).

In analogous art, Steele et al whose invention is about a configurable multimedia information system that supports electronic commerce where customized information such as stock quotes, travel information, advertising, and e-mail are communicated to portable interactive device (abstract and paragraph 0072), disclose requesting the interactive device to identify more information about specific query to be made to said request to query a publicly accessible sources of information) [page 9, paragraphs 0129-0134. see also 0110 and fig. 3]. Giving the teaching of Steele et al, a person of ordinary skill in the art would have readily recognized the desirability and the advantage of modifying Rajan by employing the system of Steele et al in order to provide users additional information matching their desires and consistent with their preference of services and products.

As per claim 6, Rajan teaches method as in claim 5, wherein said personal information which is sent includes logon information including at least a logon name and a password (col. 15, lines 63 to col. 16, line 7).

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6. Claim 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brett in view of Steele and Brandt.

Although Brett shows substantial features of the claimed invention as explained above including “Use of a template allows the bid status updates to be made with transmission of only the numerical data, which in combination with the template, presents the comprehensive auction status update to participants.” Col. 10, lines 23-31). Brett does not explicitly show multiple different kinds of requests, storing multiple different templates and selecting one the said templates that corresponds to one of kinds of requests and using the stored templates based on said kind of requests so that a first request uses a first template and a second request uses a second different template.

Nonetheless, the features of selecting a template that corresponds to a first request and a second different template for another request is an obvious feature of Brett’s use of templates. One ordinary skill in the art would appreciate to include multiple template in the system of Brett to store different the response of different auction bids. In such a way each received auction is stored in a separate different template In this way each auction bid response can be identified differently independent of the variable information rendered.

As per claim 24 and 25, the Examiner takes Official Notice Internet pages to include a bank balance and stock monitoring page to be displayed for a

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requesting user. One ordinary skill in the art would do so to conveniently access stock and/or bank information at a computing device conveniently.

### **Conclusion**

1. **ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yasin Barqadle whose telephone number is 571-272-3947. The examiner can normally be reached on 9:00 AM to 5:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Yasin M Barqadle/

Primary Examiner, Art Unit 2456